

REMARKS

The specification has been amended at two location to more accurately reflect that which is shown in the related drawing figures. No new matter is added.

Claim 23 has been canceled. Claims 20 and 22 have been amended. The amendment to claim 20 corrects a grammatical error. The amendment to claim 22 now specifically recites the use of images and combined images, as is discussed on page 8 of the application in connection with Figure 7 of the application. New claims 25-28 have been added. Support for claim 26 can be found on page 8 of the application, similar to amended claim 22. With respect to claims 25, 27, 28, reference is made to pages 4 and 8 of the application where online shopping and tickets (page 24) and images (page 8) are discussed.

Claims 14-22 and 24-28 are currently pending in the application.

The claimed invention comprises a system and a method for on-line shopping by which a customer may identify goods for purchase from an on-line merchant and, in a separate transaction, may make payment at a store not affiliated with the customer or on-line merchant. The reference cited by the Examiner as anticipating the claimed invention does not include this feature but instead provides that delivery is to be taken from a retailer, while payment may be made to a purchasing system before the buyer enters the retailer's premises.

According to the claimed invention, and as described in Figure 5 and elsewhere, an on-line shopping session takes place via a first terminal or user terminal 2A at the user's home or another place of the user's choosing, which is connected to a commerce provider server 3 via the Internet or another network 1. (Claims 14, 15, 18, 19, 20, 21, 22, and 24) Once the user has selected goods for purchase, the commerce provider server issues an identification number to the user to identify the transaction. The identification number issued to the user by the commerce provider server may be input to a second terminal or multimedia terminal 2B to identify the specific transaction and the amount due

Claims 14-24 were rejected pursuant to 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,754,636 to Walker et al. Applicant respectfully traverses.

The Examiner explained the rejection Claims 14-24 under 35 U.S.C. § 102(e) as follows:

Walker discloses an on-line service providing method (figures 1-26c comprising carrying out a combination of information at a first terminal (i.e., “buyer device” 210) and transmitting combined information and an identification number via the Internet 110 to be a commerce provider server (“seller device[”] 510). Also, Walker discloses a store site (column 15, lines 56-67) having a second terminal and thus allowing for information to be inputted and transmitted to the commerce provider server. Further, since the on site terminal can print a paid voucher (column 15, lines 66 and 67), the in store kiosk must inherently receive payment.

(Office Action at 2) Applicant traverses on the basis that Walker et al. do not anticipate Claims 14-24.

Claim 14 recites a second terminal, providing a plurality of services, located at a store and connected to said network, which transmits said identification number to said commerce provider server and receives the information of said selected service from said commerce provider server in accordance with said identification number via said network. That is, since the selected service can be received at the second terminal by transmitting the identification number from the second terminal, it is unnecessary to select a service on the side of the second terminal. This is also true in claims 18 and 20.

Contrary to this, in the purchasing system of Walker et al., only a single service, i.e., only an on-line shopping service is treated, so that it is unnecessary to store a relationship between the service and an identification number. Therefore, the seller device 510 of Figs. 3A and 3B of Walker et al. does not store the above-mentioned relationship. Rather, the commerce provider server of the present invention is not present in Walker et al. at all. Also, a redemption information inputted in the store site is used for creating a voucher so that the redemption information does not correspond to a service and therefore, does not include a selected service (see column 8, lines 46-48). Thus, the redemption information of Walker et al. never corresponds to the identification number as in the claimed invention.

Walker et al. teach purchasing systems and methods according to which a buyer takes possession of a product at a retailer. (Walker et al., column 4, lines 65-66) Walker et al. contemplate that the product received by the buyer will be

taken from the retailer's inventory and that the retailer will be "capable of providing a product to a buyer." (Walker et al., column 5, lines 66-67). In short, the commerce provider server of the claimed invention is not anticipated by either the seller device or the purchasing system device disclosed by Walker et al. (Office Action at 2), because neither the seller device nor the purchasing system device issues an identification number to the user to identify an on-line transaction so that payment can be made at a store. (Claims 14, 18, 20, 22)

In addition, Claim 22, as amended, requires carrying out a combination of images at a first terminal, transmitting combined images and an identification number from said first terminal via a network to a commerce provider server, and storing said combined images in said commerce provider server in accordance with said identification number. That is, since the combined images carried out by the user is stored in the commerce provider server, the user can treat the combined images on the side of the second terminal.

Contrary to this, in Walker et al., a paid voucher is used for verifying the payment for products (see column 8, lines 46-50), so that the purchasing system sends the redemption information to the buyer and the buyer prints it (see column 6, lines 37-52). In this case, if the buyer device 210 has no printer, the buyer goes to a store site such as a kiosk to print the paid voucher (see column 6, lines 37-52). Therefore, the paid voucher is given by the purchasing system, not by the buyer, and thus, the paid voucher of Walker has no relationship with the combined images specified in the claimed invention.

Conclusion

In view of the foregoing, it is respectfully requested that the application be reconsidered, that Claims 14-22 and 24-28 be allowed, and that the application be passed to issue. Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

A provisional petition is hereby made for any extension of time necessary for the continued pendency during the life of this application. Please charge any fees for such provisional petition and any deficiencies in fees and credit any overpayment of fees for the petition or for entry of this amendment or for the concurrently filed RCT to Attorney's Deposit Account No. 50-2041 (Whitham, Curtis & Christofferson P.C.).

Respectfully submitted,



Michael E. Whitham  
Registration No. 32,635

Whitham, Curtis & Christofferson, P.C.  
11491 Sunset Hills Road, Suite 340  
Reston, VA, 22190  
Customer Number 30743  
Phone: (703) 787-9400  
Fax: (703) 787-7557